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Pro Hac Vice Motions Pending

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
TECON OIL SERVICES LIMITED,	:	No. 07-CIV-4698 (MGC)
	:	
Plaintiff,	:	NOTICE OF MOTION TO DISMISS
	:	ELECTRONICALLY FILED
-against-	:	
	:	
BAYERISCHE HYPO- UND VEREINSBANK;	:	
OLUWOLE OGBONYOMI; APF CAPITAL	:	
MANAGEMENT, LLC; ASSET PLUS	:	
FINANCE LLC; HARRY SCHARPING; and	:	
HAGAMA VERTRIEB GMBH,	:	
	:	
Defendants.	:	
-----	X	

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that, on Thursday, July 5, 2007, at 9:30 a.m., in Courtroom 14A of the Courthouse located at 500 Pearl Street, New York, New York 10007, or as soon thereafter as counsel may be heard, Defendant Bayerische Hypo- und Vereinsbank AG, by and through its undersigned counsel and pursuant to Federal Rules of Civil Procedure 8, 9(b) and

12(b), will move this Court to dismiss Plaintiffs' Complaint against Defendant Bayerische Hypo- und Vereinsbank AG in its entirety and with prejudice, or, in the alternative, for a more definitive statement pursuant to Federal Rule of Civil Procedure 12(e). This motion is supported by the accompanying Memorandum of Law in Support of Defendant Bayerische Hypo- und Vereinsbank AG's Motion to Dismiss.

PLEASE TAKE FURTHER NOTICE that pursuant to Judge Cedarbaum's individual practices, opposing papers, if any, shall be *received* by Defendant's counsel on or before Wednesday, June 27, 2007 at 12:00 noon, and any reply papers shall be delivered to Plaintiff's counsel on or before Tuesday, July 3, 2007 at 12:00 noon.

Dated: June 11, 2007
New York, New York

/s/ Paul R. Niehaus
Paul R. Niehaus (PN-3994)
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Attorneys for Defendant
Bayerische Hypo- und Vereinsbank AG

TO:

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Attorneys for Plaintiff Tecon Oil Services Limited

CERTIFICATE OF SERVICE

I hereby certify that I have filed a copy of the within and foregoing Notice of Motion and the accompanying Memorandum of Law in Support of Defendant Bayerische Hypo- und Vereinsbank AG's Motion to Dismiss using the CM/ECF system, which will send electronic notice of such filing to those attorneys registered to receive electronic notification, and by depositing same in the United States Mail, in a properly addressed envelope with sufficient postage affixed thereto to insure delivery to the following:

Ismail T. Shahtakhtinski, Esq.
Martins I. Imudia & Associates, APLC
320 1 Danny Park
Metairie, Louisiana 70002

This 11th day of June, 2007.

/s/ Paul R. Niehaus
Paul R. Niehaus